

1 ELISE D. KLEIN, SB# 111712  
E-Mail: [klein@lbbslaw.com](mailto:klein@lbbslaw.com)  
2 JANELLE F. GARCHIE, SB# 118453  
E-Mail: [garchie@lbbslaw.com](mailto:garchie@lbbslaw.com)  
3 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
650 West "C" Street, Suite 800  
4 San Diego, California 92101  
Telephone: (619) 233-1006  
5 Facsimile: (619) 233-8627

6 Attorneys for HEALTH NET OF CALIFORNIA, INC.

7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 FRED A SUSSMAN,  
12 Plaintiff,

13 v.

14 ARMELIA SANI, M.D., SHILEY EYE  
15 CENTER, UCSD MEDICAL CENTER,  
16 REGENTS OF THE UNIVERSITY OF  
17 CALIFORNIA, HEALTH NET, INC.,  
18 HEALTH NET SENIORITY PLUS,  
19 LINDA BEACH, HAIDEE  
GUTIERREZ, and DOES 1 through 40,  
inclusive,

Defendants.

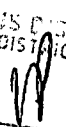
CASE NO. '08 CV 0392 H BLM

**CERTIFICATION OF SERVICE OF  
NOTICE TO ADVERSE PARTY OF  
REMOVAL TO FEDERAL COURT**

20 I, JANELLE F. GARCHIE, certify and declare as follows:

21 1. I am an attorney at law licensed to practice before all of the courts of the  
22 State of California and the United States District Court for the Southern District of  
23 California. I am a partner of the law firm of Lewis, Brisbois, Bisgaard & Smith LLP,  
24 attorneys of record for defendant Health Net of California, Inc. ("Health Net") in the  
25 above-entitled action. I have personal knowledge of the following facts and could  
26 and would testify competently to them under oath.

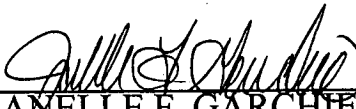
27 2. On March 3, 2008, I caused to be filed with the Clerk of the Superior  
28 Court of the State of California for the County of San Diego, a copy of defendant

FILED  
2008 MAR -3 PM 4:18  
CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY  DEPUTY

1 Health Net's Notice that Action has been Removed to Federal Court, which included  
2 a copy of the Complaint, by leaving such copy with a deputy clerk of the Court. A  
3 true and correct copy of the file stamped copy of Health Net's Notice that Action has  
4 been Removed to Federal Court is attached hereto as Exhibit "A."

5 I declare under penalty of perjury under the laws of the State of California and  
6 the United States that the foregoing is true and correct.

7 Executed this 3<sup>rd</sup> day of March 2008, at San Diego, California.

8  
9   
10 JANELLE F. GARCHIE

LEWIS BRISBOIS BISGAARD & SMITH LLP

221 NORTH FIGUEROA STREET, SUITE 1200  
LOS ANGELES, CALIFORNIA 90012-2601  
TELEPHONE (213) 250-1800



1 ELISE D. KLEIN, SB# 111712  
E-Mail: [klein@lbbslaw.com](mailto:klein@lbbslaw.com)  
2 JANELLE F. GARCHIE, SB# 118453  
E-Mail: [garchie@lbbslaw.com](mailto:garchie@lbbslaw.com)  
3 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
650 West "C" Street, Suite 800  
4 San Diego, California 92101  
Telephone: (619) 233-1006  
5 Facsimile: (619) 233-8627

6 Attorneys for Defendant  
HEALTH NET OF CALIFORNIA, INC.  
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SAN DIEGO - CENTRAL DIVISION - HALL OF JUSTICE  
10

11 FRED A SUSSMAN,

12 Plaintiff,

13 v.

14 ARMELIA SANI, M.D., SHILEY EYE  
CENTER UCSD MEDICAL CENTER,  
15 REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, HEALTH NET, INC.,  
16 HEALTHNET SENIORITY PLUS, LINDA  
BEACH, HAIDEE GUTIERREZ, and  
17 DOES 1 through 40, inclusive,

18 Defendants.  
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CASE NO. 37-2007-00081655-CU-MM-CTL

**NOTICE THAT ACTION HAS BEEN  
REMOVED TO FEDERAL COURT**

Action Filed: November 13, 2008

1 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that on March 3, 2008, Defendant Health Net of California,  
3 Inc. ("Health Net") removed this action to the United States District Court for the Southern District  
4 of California. A true and correct copy of the Notice of Removal of Action Under 28 U.S.C. section  
5 1441(b) (Federal Question) that Health Net filed in the federal court is attached hereto as Exhibit  
6 "A."

7  
8 DATED: March 3, 2008.

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

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10  
11 BY: 

12 Elise D. Klein  
13 Janelle F. Garchie  
14 Attorneys for Defendant, HEALTH NET OF  
15 CALIFORNIA, INC.  
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LOS ANGELES, CALIFORNIA 90012-2601  
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